

Notice of Allowability

Application No.

10/056,569

Examiner

Daniel L. Greene

Applicant(s)

WANDMACHER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/4/2005.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3621

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald L. Andruska on 6/28/2005.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A method to establish preferred business partners via a communication network, the method comprising:

electronically providing a vendor certification program comprising a curriculum via the communication network on a fee basis;

electronically receiving a notification, from an entity administering the vendor certification program, that a vendor has successfully completed the vendor certification program; and granting certified vendor status by the entity upon the vendor indicated in the notification,

wherein the certified vendor status confers preferential consideration to the vendor during acquisition decisions by the entity.

2. (original) A computer-readable medium having stored thereon computer-executable instructions for implementing the method of claim 1.

3. (original) The method of claim 1, wherein the curriculum is based on subject matter expertise possessed by the entity.

4. (original) The method of claim 1, further comprising: undertaking an acquisition decision;

accessing information regarding a plurality of vendors, the plurality of vendors comprising at least one vendor having certified vendor status; and providing preferential consideration to the at least one vendor having certified vendor status when resolving the acquisition decision.

5. (original) The method of claim 1, wherein the vendor comprises a plurality of personnel, and wherein granting of the certified vendor status further comprises granting variable levels of certified vendor status such that increasing numbers of the plurality of personnel that have successfully completed the vendor certification program confers increasing levels of preferential consideration.

6. (original) The method of claim 1, further comprising providing the vendor certification program, at least in part, via a public communication network.

7. (original) The method of claim 6, further comprising providing the vendor certification program, at least in part, via either of an Internet or World Wide Web communication network.

8. (original) The method of claim 1, further comprising providing the vendor certification program, at least in part, via a private communication network.

9. (currently amended) A method, via a communication network, for a vendor to obtain preferred status from an entity, the method comprising:

electronically registering for a fee-based vendor certification program provided by the entity, wherein the vendor certification program comprises a curriculum;

successfully completing the curriculum via the communication network; and receiving, from the entity, a notification of certified vendor status in response to successful completion of the curriculum,

wherein the certified vendor status confers preferential consideration during acquisition decisions by the entity.

10. (original) A computer-readable medium having stored thereon computer-executable instructions for implementing the method of claim 9.

11. (original) The method of claim 9, wherein the curriculum is based on subject matter expertise possessed by the entity.

12. (original) The method of claim 9, wherein the vendor comprises a plurality of personnel, and wherein receiving the certified vendor status further comprises receiving variable levels of certified vendor status such that increasing numbers of the plurality of personnel that have successfully completed the vendor certification program results in increasing levels of preferential consideration.

13. (original) The method of claim 9, further comprising successfully completing the vendor certification program, at least in part, via a public communication network.

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14. (original) The method of claim 13, further comprising successfully completing the vendor certification program, at least in part, via either of an Internet or World Wide Web communication network.

15. (original) The method of claim 9, further comprising successfully completing the vendor certification program, at least in part, via a private communication network.

16. (original) An apparatus to establish preferred business partners via a communication network, the apparatus comprising:

a network interface for communicating with the communication network; at least one processor coupled to the network interface; and

at least one memory device, coupled to the at least one processor, having stored thereon executable instructions that, when executed by the at least one processor, cause the at least one processor to:

provide a vendor certification program comprising a curriculum via the network interface on a fee basis;

provide a notification that a vendor has successfully completed the vendor certification program; and

store information regarding certified vendor status based on the successful completion of the vendor certification program.

wherein the certified vendor status confers preferential consideration to the vendor during acquisition decisions by an entity.

17. (original) The apparatus of claim 16, wherein the curriculum is based on subject matter expertise possessed by the entity.

18. (original) The apparatus of claim 16, wherein the curriculum is stored in the at least one memory device.

19. (original) The apparatus of claim 16, wherein the network interface communicates with a public communication network.

20. (original) The apparatus of claim 19, wherein the network interface communicates with either of an Internet or World Wide Web communication network.

21. (original) The apparatus of claim 16, wherein the network interface communicates with a private communication network.

22. (currently amended) A system whereby an entity establishes relationships with vendors via a communication network, the system comprising:

an electronic learning management component, operatively coupled to the communication network, that administers a vendor certification program on behalf of an entity; and

at least one database, coupled to the learning management component, comprising a curriculum offered as part of the vendor certification program, and comprising information indicating that a vendor has certified vendor status after successfully completing the curriculum thereby entitling the vendor to preferential consideration during acquisition decisions by the entity.

23. (original) The system of claim 22, wherein the curriculum is based on subject matter expertise possessed by the entity.

24. (original) The system of claim 22, further comprising:
a delivery component, coupled to learning management component, for delivering the curriculum to the vendor.

25. (original) The system of claim 22, further comprising:
a financial transaction component, coupled to the learning management component, that handles payment by the vendors for participation in the vendor certification program.

26. (original) The system of claim 22, wherein the network interface communicates with a public network.

27. (original) The system of claim 26, wherein the network interface communicates with either of Internet or World Wide Web networks.

28. (original) The system of claim 22, wherein the network interface communicates with a private network.

29. (currently amended) An apparatus for a vendor to obtain preferred status from an entity via a communication network, the apparatus comprising:

a network interface for communicating with the communication network; at least one processor coupled to the network interface; and
at least one memory device, coupled to the at least one processor, having stored thereon executable instructions that, when executed by the at least one processor, cause the at least one processor to:

electronically receive a curriculum included in a vendor certification program offered by the entity via the communication network;

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receive, from the entity, a notification of certified vendor status in response to successful completion of the curriculum,

wherein the certified vendor status confers preferential consideration during acquisition decisions by the entity.

30. (original) The apparatus of claim 29, wherein the curriculum is based on subject matter expertise possessed by the entity.

31. (original) The method of claim 29, wherein the network interface communicates with a public communication network.

32. (original) The method of claim 31, wherein the network interface communicates with either of an Internet or World Wide Web communication network.

33. (original) The method of claim 29, wherein the network interface communicates with a private communication network.

34. (currently amended) A method for an entity to establish preferred business partners via a communication network, the method comprising:
electronically providing a vendor certification program comprising a curriculum via the communication network on a fee basis;

electronically receiving a notification that a vendor has successfully completed the vendor certification program; and

granting certified vendor status upon the vendor indicated in the notification, wherein the certified vendor status confers preferential consideration to the vendor during acquisition decisions by the entity,

wherein the curriculum is based on subject matter expertise possessed by the

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entity;

undertaking an acquisition decision;

accessing information regarding a plurality of vendors, the plurality of vendors comprising at least one vendor having certified vendor status; and

providing preferential consideration to the at least one vendor having certified vendor status when resolving the acquisition decision.

The following is an examiner's statement of reasons for allowance:

As per claims 1, 9, 16, 22, 29 and 34, the closest prior art of record U.S. Patent 6,397,197 B1 Gindlesperger, teaches about vendor's databases that have a plurality of vendors with each of their respective capabilities that could be required by a buyer.

Gindlesperger discloses preferential treatment of vendors in their databases that have specific capabilities that they need and want. Gindlesperger, taken either individually or in combination with other prior art of record fails to teach or suggest an entity that not only provides a vendor certification program for a fee but, confers preferential consideration to the vendor during an acquisition decision by the entity, for a service, for the entity.

The specific allowable feature, which distinguishes the present invention over the prior art is that the entity that provides a certification program for a fee, confers preferential consideration to the vendor during an acquisition decision by the entity, for a service, for the entity. The prior art separates the entity providing the certification for a fee from an entity granting a vendor preferential consideration because they have a certification in a program that they need a certified vendor to provide the purchase requirement.

Claims 2-8, 10-15, 17-21, 23-28, and 30-33 are dependent upon Claims 1, 9, 16, 22, and 29 respectively and thus have all the limitations of Claims 2-8, 10-15, 17-21, 23-28, and 30-33 are dependent upon Claims 1, 9, 16, 22, and 29 respectively and are thus allowable for that reason..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 571-272-6707. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel L. Greene
Examiner
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7/5/2005



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